

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nakia Phillips

Case Number: 4:12CR-00161-1 JAR

Name of Sentencing Judicial Officer: The Honorable John A. Ross
United States District Judge

Date of Original Sentence: November 1, 2012

Original Offense: Failure to Register as a Sex Offender

Original Sentence: 24 months custody of the Bureau of Prisons, followed by a ten year term of supervised release. On April 30, 2014, supervised release was revoked and sentenced to 24 months custody of the Bureau of Prisons, followed by a Life term of supervised release. On August 11, 2015, Judgement was amended regarding additional conditions of release.

Type of Supervision: Supervised Release

Date Supervision Commenced: September 30, 2015
Expiration Date: N/A

Assistant U.S. Attorney: Tracy Berry

Defense Attorney: Lucille Liggett

PETITIONING THE COURT

☒ To issue a warrant

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number

Standard Condition No. 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Standard Condition No. 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Special Condition No. 2: The defendant shall comply with all federal, state, and local sex offender registration laws and provide verification of registration to the probation office.

Nature of Noncompliance

On September 7, 2016, the undersigned officer made contact with Proffer Produce, Farmington, Missouri, to inquire about the offender's employment status. Upon speaking with a human resources representative, the undersigned officer was informed the offender terminated his employment on August 18, 2016. As a result of this information, the undersigned officer contacted the offender's second place

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of employment at Dominoes Pizza, Farmington, Missouri and was informed the offender was terminated from his employment on September 3, 2016. The offender was reportedly terminated from the Farmington, Missouri Dominoes location on August 10, 2016, as he looked up a female customer's personal information in the computer and contacted her. The female's boyfriend contacted the store and the offender was subsequently terminated. Dominoes afforded the offender an employment opportunity at the Fredericktown, Missouri location, beginning August 12, 2016; however, he was terminated from that location on September 3, 2016. The manager that reported this information to the undersigned officer was unaware of the cause of the termination on September 3, 2016. The offender failed to report any of the employment changes to the probation office. Further, according to the Missouri Highway Patrol website, the offender has not changed his employment status with the Missouri Sex Offender registry.

It should be noted that on September 7, 2016, the undersigned officer was contacted by the Farmington, Missouri Police Department and informed that Phillips is under investigation for a possible sexual assault of a 15 year old female. According to the investigating officer, Phillips was positively identified by the victim as the perpetrator of the sexual assault. The probation office was also informed that the offender participated in a high speed chase with the Farmington Police Department at approximately 3:15 pm, and escaped the officers. The investigation is in process and the officer has advised he will keep the probation office updated as the investigation continues.

Violation Number

Special Condition No. 4: The defendant shall be prohibited from contact with children under the age of 18 without the prior written permission of the probation office and shall report to the probation office immediately, but in no event later than 24 hours, any unauthorized contact with children under the age of 18.

Special Condition No. 7: The defendant shall not possess obscene material as deemed inappropriate by the probation office and/or treatment staff, or patronize any place where such material or entertainment is available.

Nature of Noncompliance

On May 5, 2016, Phillips submitted to a polygraph examination at Southeast Missouri Behavioral Health residential facility. During the examination, Phillips admitted to having contact with his twelve year old son on two occasions. He advised the first occasion involved meeting his son's mother at a flea market in St. Louis, Missouri, for the purpose of giving his son some new tennis shoes. Phillips informed this officer he was not aware his son would be at the flea market when he met the mother there. The second occasion involved Phillips meeting his son and his son's mother at a friend's house for the purpose of Phillips speaking to his son regarding his misbehavior. Phillips advised the contact was approximately 15 minutes in length and that at no time was he alone with his son. Additionally, during the examination, Phillips admitted he and his girlfriend made a video of the two of them engaged in sexual acts.

Violation Number

Special Condition (Modification 01/14/2016): The defendant shall reside in and participate in a Residential Reentry Center approved by the probation office, but not longer than 120 days.

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Nature of Noncompliance

On May 25, 2016, Phillips was discharged unsuccessfully from Southeast Missouri Behavioral Health (SEMO), where he was residing due to not having a viable home plan. A female resident at SEMO filed a report wherein she advised that Phillips had approached her on May 24, 2016, to have sexual relations in the restroom of the facility. After the female resident turned Phillips down, Phillips reportedly made several inappropriate sexual in nature comments to the female. When Phillips was interviewed about the incident, he advised the female had approached him for illicit substances and he informed her he did not have any. As SEMO viewed this action as a safety issue, Phillips was terminated from the facility.

Previous Violations

On May 16, 2016, the Court was notified the defendant had submitted to a deceptive polygraph on May 5, 2016, wherein he admitted to having contact with his twelve year old son on two occasion without permission and admitted to possessing obscene material as deemed inappropriate by the probation office and/or treatment staff wherein Phillips and his girlfriend made a video of the two of them engaged in sexual acts. As no Court action was taken, this conduct has been incorporated into the existing petition for a warrant.

On June 9, 2016, the Court was notified that Phillips was unsuccessfully discharged from Southeast Missouri Behavioral Health (SEMO) halfway house as a female resident filed a complaint against him alleging that Phillips had approached her to have sexual relations with him in the facility restroom. As no Court action was taken, this conduct has been incorporated into the existing petition for a warrant.

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U.S. Probation Officer Recommendation:

Based on the above information, it is requested the Court issue a warrant and the term of supervised release be revoked. Phillips is non-compliant with the conditions of supervised release and at this point, a possible danger and risk to the community.

The Supervised Release should be
[X] revoked.

I declare under penalty of perjury that the foregoing
is true and correct.

Executed on September 7, 2016

Approved,

by



Kenneth R. Fitzgerald
Supervising U.S. Probation Officer
Date: September 7, 2016

Respectfully submitted,

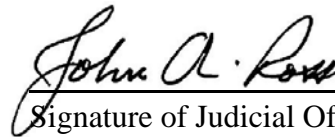
by



Lisa K. Haar
U.S. Probation Officer
Date: September 7, 2016

THE COURT ORDERS:

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
 Appearance Date:
 Appearance Time:
 Courtroom Number:
☐ Other



Signature of Judicial Officer

September 7, 2016

Date